99th Congress, 1st Session - - - - - - - - - - - House Document 99-75

EXTENSION OF WAIVER AUTHORITY UNDER THE TRADE ACT

MESSAGE

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

NOTIFICATION OF A FURTHER EXTENSION OF THE WAIVER AUTHORITY UNDER THE TRADE ACT CONCERNING THE HUNGARIAN PEOPLE'S REPUBLIC, THE PEOPLE'S REPUBLIC OF CHINA, AND THE SOCIALIST REPUBLIC OF ROMANIA, PURSUANT TO 19 U.S.C. 2432(c), (d)

JUNE 4, 1985.—Message and accompanying papers referred to the Committee on Ways and Means and ordered to be printed.

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To the Congress of the United States:

I hereby transmit the documents referred to in subsection 402 (d)(5) of the Trade Act of 1974 with respect to a further 12-month extension of the authority to waive subsections (a) and (b) of section 402 of the Act. These documents constitute my decision to continue in effect this waiver authority for a further 12-month period.

I include as part of these documents my determination that further extension of the waiver authority will substantially promote the objectives of section 402. I also include my determination that continuation of the waivers applicable to the Hungarian People's Republic, the People's Republic of China, and the Socialist Republic of Romania will substantially promote the objectives of section 402. The attached documents also include my reasons for extension of the waiver authority; and for my determination that continuation of the waivers currently in effect for the Hungarian People's Republic, the People's Republic of China and the Socialist Republic of Romania will substantially promote the objectives of section 402.

RONALD REAGAN.

THE WHITE HOUSE, *June 3, 1895.*

Report to Congress Concerning Extension of Waiver Authority

Pursuant to subsection 402(d)(5) of the Trade Act of 1974 ("The Act") I have today determined that further extension of the waiver authority granted by subsection 402(c) of the Act for twelve months will substantially promote the objectives of section 402, and that continuation of the waivers currently applicable to the Hungarian People's Republic, the People's Republic of China, and the Socialist Republic of Romania will also substantially promote the objectives of section 402 of the Act. My determination is attached and is incorporated herein.

The general waiver authority conferred by section 402(c) of the Act is an important means for the strengthening of mutually beneficial relations between the United States and certain countries of Eastern Europe and the People's Republic of China. The waiver authority has permitted us to conclude and maintain in force bilateral trade agreements with Hungary, the People's Republic of China, and Romania. These agreements continue to be fundamental elements in our political and economic relations with those countries, including our important, productive exchanges on human rights and emigration matters. Moreover, continuation of the waiver authority might permit future expansion of our bilateral relations with other countries now subject to subsections 402(a) and (b) of the Act, should circumstances clearly warrant this renewal of the general waiver authority.

I continue to believe that extending the current waivers applicable to Hungary, the People's Republic of China, and Romania will substantially promote the objectives of section 402 of the Act.

HUNGARY

Hungary has continued to take a relatively positive and constructive approach to emigration matters. Although three new emigration cases were recorded during the past year, all of them are on the way to being resolved. The number of Hungarian citizens who apply to leave Hungary remains small, and emigration permission is granted without undue difficulty. No sanctions are imposed on those who seek to emigrate, nor do emigration procedures appear excessive.

PEOPLE'S REPUBLIC OF CHINA

China continued its relatively open emigration policy thoughout the past year. In fiscal year 1984, our Embassy and Consulates in China issued nearly 13,000 immigrant visas, 30 percent more than the 10,000 issued in the previous fiscal year. The number of immigrant visas issued has increased every year since the U.S. normalized relations with China in 1979. In addition, our posts in China

issued 24,000 non-immigrant visas during FY-1984, compared with 16,000 the previous year, to Chinese who wished to study, conduct business, or visit relatives in the United States. Other Western countries have also experienced increases in Chinese travel and emigration.

ROMANIA

Emigration from Romania to all countries has more than tripled since 1975, the first year Romania enjoyed MFN status, and emigration to the United States was five times higher in 1984 than in 1975. In 1984, over 4,500 people departed Romania for the U.S. ethnic German departures for the FRG set another all-time high of nearly 15,000 and 1,908 Romanian Jews left for Israel, the highest annual figure since 1976. So far this year, departures for Israel have been running behind last year's peak levels, and there has been an upturn in ethnic German emigration following a reduced level of departures during the winter months of 1984-85. The Administration is continuing to seek improvements in Romanian emigration procedures, and will continue closely to monitor Jewish emigration to Israel.

The Romanian government has continued to honor its assurances, which I received from President Ceausescu in June 1983, that Romania would not require reimbursement of education costs as a precondition to emigration.

While many problems remain in the emigration area, Romania's performance has continued to improve over the last year in respect to the numbers of people receiving exit documentation and time required to process their applications. On the basis of Romania's performance and the progress it has made in the area of emigration since last year, I believe that continuation of the waiver applicable to Romania will substantially promote the objectives of the Act.

For the above reasons, I have determined that continuation of the waivers for Hungary, the People's Republic of China and Romania will substantially promote the objectives of the Act.

[The White House, Washington, 1985, Presidential Determination No. 85]

THE WHITE HOUSE,
Washington, June 3, 1985.

MEMORANDUM FOR THE SECRETARY OF STATE

Subject: Determination under Subsection 402(d)(5) of the Trade Act of 1974—Continuation of Waiver Authority.

Pursuant to the authority vested in me under the Trade Act of 1974 (Public Law 93-618), January 3, 1975 (88 Stat. 1978) (hereinafter "the Act"), I determine, pursuant to subsection (d) 402(5) of the Act, that the further extension of the waiver authority granted by subsection 402(c) of the Act will substantially promote the objectives of section 402 of the Act. I further determine that the continuation of the waivers applicable to the Hungarian People's Republic, the People's Republic of China and the Socialist Republic of Romania will substantially promote the objectives of section 402 of the Act.

This determination shall be published in the Federal Register.

RONALD REAGAN.